

Notice of Allowability

Application No.

09/982,831

Examiner

Hai C Pham

Applicant(s)

HAYASHI ET AL.

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 10/23/03.
2. ☒ The allowed claim(s) is/are 1,2,4-21,23-27 and 29-33.
3. ☒ The drawings filed on 22 October 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 3 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No. <u>07/24/03</u> | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Zachary Stern on January 5, 2004.

The application has been amended as follows:

IN The CLAIMS:

- Claim 16: Rewrote claim 16 as follows:

-- 16. The optical scanning device as claimed in claim 1, wherein:

~~the scanning optical systems include first and second scanning optical systems scanning first and second scanning areas adjacent to each other, respectively; and~~

the first scanning optical system further comprises said ~~light source selection part~~ and a recording start time control part controlling a recording start time of image information of a first line of the first scanning area.—

- Claim 18: Rewrote claim 18 as follows:

-- 18. The optical scanning device as claimed in claim 1, wherein:

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~~the scanning optical systems include first and second scanning optical systems scanning first and second scanning areas adjacent to each other, respectively; and~~

~~the first scanning optical system further comprises said light source selection part and a scanning position control part controlling a scanning position deviation in a sub scanning direction between a scanning end position of the second scanning area and a corresponding scanning start position of the first scanning area.—~~

- Claim 24: Rewrote claim 24 as follows:

-- 24. The imaging apparatus as claimed in claim 20, wherein ~~the one of the~~ first scanning optical system systems ~~which one comprises said light source selection part further comprises a recording start time control part controlling a recording start time of image information of a first line of a scanning area scanned by the one of the~~ first scanning optical system systems.—

- Claim 25: Rewrote claim 25 as follows:

-- 25. The imaging apparatus as claimed in claim 20, wherein:

~~the scanning optical systems include first and second scanning optical systems scanning first and second scanning areas adjacent to each other, respectively; and~~

~~the first scanning optical system further comprises said light source selection part and a scanning position control part controlling a scanning position deviation in a sub scanning direction between a scanning end position of the second scanning area and a corresponding scanning start position of the first scanning area.--~~

2. The following is an examiner's statement of reasons for allowance: the primary reason for the indication of the allowability of the claimed invention is the inclusion of the limitations, in the combination as currently claimed, that the claimed apparatus and method for recording an image includes a first and second optical scanning systems arranged in a main scanning direction for scanning first and second scanning areas adjacent to each other, each of the first and second optical system having a plurality of light sources emitting light beams, a light source driving circuit modulating the light beams separately, and a deflector, wherein the first optical system includes a light source selection part, which generates a light source selection signal and selects one of the light sources of the first optical system to be used for recording image information of a first line of the first scanning area (referring to claims 1, 20, 26), wherein the first optical system further includes a scanning position control part controlling a scanning position deviation in a sub-scanning direction between a scanning end position of the second scanning area and a corresponding scanning start position of the first scanning area, by turning a bending mirror of the first scanning optical system around an axis parallel to the main scanning direction (referring to claims 19, 33). The combined limitations are not found taught or fairly suggested by the prior arts made of record, considered alone or in combination.

Claims 2, 4-18, 21, 23-25, 27, 29-32 are allowed for being directly or indirectly dependent from the above corresponding base claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai C Pham whose telephone number is (703) 308-1281. The examiner can normally be reached on T-F (8:30-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (703) 308-4896. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



HAI PHAM
PRIMARY EXAMINER

January 8, 2004